

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION, TOLEDO, OHIO**

In Re:	*	Case No. 10-30748
		Chapter 11
Douglas P. Fay	*	Judge Whipple
	*	
Debtor	*	
	*	
*	*	*

**OBJECTION TO TRUSTEE’S MOTION TO CONVERT
FROM A CHAPTER 11 TO CHAPTER 7**

Now comes, Douglas P. Fay, the Debtor herein (“the Debtor”) and would object to the Trustee’s Motion to Convert (“Doc. 79”) and would request hearing on such issue in accordance with Local Rule. In support, the Debtor believes by the time of the hearing, the monthly reports will be current and the quarterly Trustee’s payment will have been made. Debtor believes as and for cause, Debtor would state that he had a kidney transplant and as a result he was unable to timely complete the foregoing reports. Further, the debtor’s residence was a complete lost due to a fire and all the records are in a disarray. The Court is aware that the Debtor has reached a partial settlement with the insurance company and such funds are on deposit with the Court. The debtor believes that he can either propose a plan to repay and provide 100% to the repayment of creditors or alternatively dismiss the case and provide for payment.

WHEREFORE, the Debtor requests that the Trustee's Motion be denied; that a hearing be held and other such relief as is just and equitable.

Respectfully submitted

/s/Steven L. Diller
Steven L. Diller (0023320)
Attorney for Debtor
124 East Main Street
Van Wert, OH 45891
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CERTIFICATE OF SERVICE

I, Steven L. Diller, do hereby certify that a copy of the Objection to the Trustee's Motion To Convert was mailed or electronically sent to US Trustee, BP America Building, 200 Public Square 20th Floor, Suite 3300, Cleveland, OH 44114 this 13th day of December, 2010.

/s/Steven L. Diller
Steven L. Diller

